IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 12TH JANUARY 2007 / 22ND PAUSHA 1928

Bail Appl..No. 7437 of 2006()

CRIME NO.378/04 OF PUDUKKAD POLICE STATION.

: PETITIONER

SHAIJU, S/O.PUTHUPALLY PARAMBIL THOMAS,
ANANDAPURAM DESOM, MURIYAD,
MUKUNDAPURAM TALUK.

BY ADV. SRI.T.N.MANOJ

RESPONDENT:

THE DEPUTY SUPERINTENDENT OF POLICE,
CRIME BRANCH, THRISSUR.

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 12/01/2007,THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO. 7437 OF 2006

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DATED THIS THE 12th DAY OF JANUARY, 2007

O R D E R

Petitioner who is a suspected accused in Crime No.378/04 of Puthukkad Police Station registered under the caption 'unnatural death' in respect of one Mohanan who died due to drowning, seeks anticipatory bail.

2. Learned Public Prosecutor on instructions submitted that even though the death of the deceased was due to drowning, which might be accidental, the petitioner is being suspected since he has been giving prevaricatory answers and also since the deceased was last seen alive with the company of the petitioner. At any rate, the above submission is a good ground for the petitioner to entertain a reasonable apprehension of arrest. I am inclined to grant anticipatory bail to the petitioner, but safeguarding the interest of the prosecution as well.

3. Accordingly, a direction is issued to the officer-in-charge of the police station concerned to release the petitioner on bail for a period of one month in the event of his arrest in connection with the above case on his executing a bond for Rs.10,000/- with two solvent sureties each for the like amount to the satisfaction of the said officer and subject to the following conditions:

1. Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioner shall make himself available for interrogation as and when required by the Investigating Officer.

3. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

4. Petitioner shall not commit any offence while on bail.

5. Petitioner shall surrender before the Magistrate concerned and seek regular bail in the meanwhile.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR,JUDGE.

dsn